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Paper

Mail Stop Interference
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Filed 19 August 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HIROSHI TAYANAKA
Junior Party
(Patent 6,107,213),

v.

KIYOFUMI SAKAGUCHI, TAKAO YONEHARA
and **NOBUHIKO SATO**
Senior Party
(Application 10/085,046).

Patent Interference No. 105,767 (JL)
(Technology Center 2800)

DECLARATION - BD.R. 203(b)¹

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-identified
3 parties. Details of the application(s), patent (if any), reissue application (if any), count(s)
4 and claims designated as corresponding or as not corresponding to the count(s) appear
5 in Parts E and F of this DECLARATION.

6 **Part B. Judge managing the interference**

7 Administrative Patent Judge Jameson Lee has been designated to manage the
8 interference. Bd. R. 104(a).

9 **Part C. Standing order**

10 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11 DECLARATION. The STANDING ORDER applies to this interference.

12 **Part D. Initial conference call**

13 A telephone conference call to discuss the interference is set for 1:00 p.m. (EST)
14 on 30 September 2010 (the Board will initiate the call).

15 No later than **four business days** prior to the conference call, each party shall
16 file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;
17 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18 A sample schedule for taking action during the motion phase appears as Form 2
19 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to
20 the conference call and to agree on dates for taking action. A typical motion period
21 lasts approximately eight (8) months. Counsel should be prepared to justify any request
22 for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventor: HIROSHI TAYANAKA, Kanagawa, Japan

Involved Patent: 6,107,213 granted 22 August 2000 based on
Application 08/818,239 filed 14 March 1997

Title: Method for making thin film semiconductor

Assignee: SONY Corporation

Senior Party

Named Inventors: KIYOFUMI SAKAGUCHI, Isehara-shi, Japan
TAKAO YONEHARA, Atsugi-shi, Japan
NOBUHIKO SATO, Yokohama-shi, Japan

Involved Application: 10/085,046 filed 1 March 2002

Title: Process for production of semiconductor substrate

Assignee: Canon Kabushiki Kaisha

The senior party is assigned exhibit numbers 1001-1999. The junior party is

and exhibit numbers 2001-2999 Bd R 154(c)(1); SO ¶ 154.2.1. The senior party

ponsible for initiating settlement discussions. SO ¶ 126.1.

1 **Part F. Count and claims of the parties**

2 Count 1

3 Claim 77 of Sakaguchi's Application 10/085,046

4

5 The claims of the parties are:

6 Tayanaka: Claims 1-20

7 Sakaguchi: Claims 77, 107, 135, 136, 138, 139, 142, and 157

8 The claims of the parties which correspond to Count 1 are:

9 Tayanaka: Claims 1-6, 9-11, and 13-19

10 Sakaguchi: Claims 77, 107, 135, 136, 138, 139, 142, and 157

11 The claims of the parties which do not correspond to Count 1, and therefore are

12 not involved in the interference, are:

13 Tayanaka: Claims 7, 8, 12, and 20

14 Sakaguchi: None

15

16 The parties are accorded the following benefit:

17 Tayanaka: JP P08-234480 filed 4 September 1996
18 JP P08-061552 filed 18 March 1996

19

20 Sakaguchi: 09/161,775 filed 29 September 1998
21 08/863,717 filed 27 May 1997
22 08/401,237 filed 9 March 1995

23

24 Patent 6,246,068 granted 12 June 2001 based on
25 Application 09/212,432 filed 16 December 1998

26

27 Patent 5,854,123 granted 29 December 1998 based
28 on Application 08/729,722 filed 7 October 1996

1 Patent 6,294,478 granted 25 September 2001 based
2 on Application 08/807,604 filed 27 February 1997
3
4 09/933,711 filed 22 August 2001
5 09/840,895 filed 25 April 2001
6 JP 6-039389 filed 10 March 1994
7 JP 7-045441 filed 6 March 1995
8 JP 7-260100 filed 6 October 1995
9 JP 8-041709 filed 28 February 1996
10 JP 8-264386 filed 4 October 1996
11

12 **Part G. Heading to be used on papers**

13 The following heading must be used on all papers filed in this interference, see
14 SO ¶ 106.1.1:
15
16
17

18 **UNITED STATES PATENT AND TRADEMARK OFFICE**
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21 **BEFORE THE BOARD OF PATENT APPEALS**
22 **AND INTERFERENCES**
23

24
25 **HIROSHI TAYANAKA**
26 Junior Party
27 (Patent 6,107,213),
28

29 V.
30

31 **KIYOFUMI SAKAGUCHI, TAKAO YONEHARA**
32 and **NOBUHIKO SATO**
33 Senior Party
34 (Application 10/085,046).
35

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38 Patent Interference No. 105,767 (JL)
39 (Technology Center 2800)
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Part H. Order form for requesting file copies

2 When requesting copies of files, use of SO Form 4 will greatly expedite
3 processing of the request. Please attach a copy of Parts E and F of this
4 DECLARATION with a hand-drawn circle around the patents and applications for which
5 a copy of a file wrapper is requested.

/JAMESON LEE/
Administrative Patent Judge

Enc: Copy of STANDING ORDER

Revised 3 January 2006

1 cc (via overnight delivery):

2
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4
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